

Report Date: March 29, 2023

**United States District Court**

for the

**Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**Mar 29, 2023**

SEAN F. MCAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Terrence Anthony Kinard Case Number: 0980 2:15CR00118-WFN-1

Address of Offender: [REDACTED], Spokane, Washington 99202

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: February 9, 2017

Original Offense: Conspiracy to Distribute 5 Grams or More of Pure (Actual) Methamphetamine,  
21 U.S.C. §§ 841(a)(1), (b)(1)(B)(viii) and 846;  
Distribution of a Mixture or Substance Containing a Detectable Amount of Heroin,  
21 U.S.C. § 841(a)(1), (b)(1)(C)

Original Sentence: Prison - 120 Months; Type of Supervision: Supervised Release  
TSR - 48 Months

Amended Sentence: Prison - 2,218 Days;  
(November 24, 2021) TSR - 48 Months

Asst. U.S. Attorney: Timothy John Ohms Date Supervision Commenced: November 30, 2021

Defense Attorney: Amy H. Rubin Date Supervision Expires: November 29, 2025

**PETITIONING THE COURT**

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 03/17/2022, 03/23/2022, 04/12/2022, 08/25/2022, 08/30/2022, 09/21/2022, 09/26/2022, 11/28/2022, and 01/30/2023.

On December 1, 2021, Mr. Terrence Kinard signed his conditions relative to case number 2:15CR00118-WFN-1, indicating he understood all conditions as ordered by the Court. Specifically, Mr. Kinard was made aware by his U.S. probation officer that he was required to refrain from the use of illicit substances.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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11	<b><u>Mandatory Condition #3:</u></b> You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
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**Supporting Evidence:** Mr. Terrence Kinard is alleged to have violated mandatory condition number 3 by ingesting methamphetamine on or about March 21, 2023, based on both urinalysis testing and the client's admission of such use.

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Specifically, on March 22, 2023, the undersigned officer received the urinalysis testing results from the contract provider for March 21, 2023. Upon review of the results, it was observed that the client had provided a positive urinalysis sample for methamphetamine and amphetamine with the provider on that date. A drug use admission form was also received in which the client signed his name, serving to document his admitted use of the substances identified as previously occurring on or about March 19, 2023.

On March 23, 2023, Mr. Kinard contacted the undersigned officer telephonically in response to a text message sent by the undersigned officer requesting that he do so. Mr. Kinard requested travel to the U.S. Probation Office, given his current status on ordered home detention, to engage in further dialogue with the undersigned officer.

Mr. Kinard subsequently reported as directed, and detailed with the undersigned officer the circumstances that led to his relapse on methamphetamine as previously occurring on or about March 19, 2023. Specifically, Mr. Kinard indicated that while cleaning his room, he located a small piece of the substance entwined in his clothing. Mr. Kinard stated anxiety at the time of the discovery due to the proximity of his deceased mother's birthday. Mr. Kinard indicated that his anxiety in combination with his possession of the substance, persuaded him to choose to put the substance in his coffee, which he then drank.

Mr. Kinard stated that he felt immediate remorse and has since tested negative for all substances.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: March 29, 2023

s/Chris Heinen

Chris Heinen

U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



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Signature of Judicial Officer

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3/29/2023

Date